

DECISION MEMORANDUM
E Sahuarita CenturyLink ROW Renewal
DOI-BLM-AZ-G020-2015-0026-CX

U.S. Department of the Interior
Bureau of Land Management
Tucson Field Office

Project Description

The ROW is 10 feet wide and approximately 5,280 feet long containing an aerial copper cable telephone line. It was originally issued on 7/17/1995 for 20 years and expired on 7/16/2015. The terms of the grant allowed CenturyLink to hang its line on the infrastructure of an existing line at the time of construction. The overhead communications cable is hung on 19 Trico Electric Cooperative, Inc. poles (case file AZA-13734). All poles used in the ROW are owned/maintained by Trico not CenturyLink. The Trico ROW used to hang this cable expires on 11/16/2040; because of this the BLM is proposing to renew AZA-27789 (CenturyLink) for a term of 25 years and 4 months. No construction or maintenance is currently proposed, only the renewal of the ROW grant.

The project location is:

Gila & Salt River Meridian
Township 17 S. Range 15 E.
Section 8 S½S½

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 (Appendix 4 E 9) "Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original operations."

Approval and Decision

Based on a review of the project described in the attached Categorical Exclusion documentation and field office staff recommendations, I have determined that the project is in conformance with the Phoenix Resource Management Plan (approved September 1989) Page 14: "to issue land use authorizations on a case by case basis" and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed.

Administrative Review or Appeal Opportunities

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the attached Form 1842-1. If an appeal is taken, your notice of appeal must be filed via fax, mail, or hand delivered to the Tucson Field Office, 3201 E Universal Way, Tucson AZ 85756 within 30 days from receipt of this decision. No appeals submitted through email or any other electronic method will be accepted. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) (request) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (Department of the Interior, Office of the Field Solicitor, Sandra Day O'Connor U.S. Court House #404, 401 West Washington Street SPC44,

Phoenix, AZ 85003-2151) (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

Standards for Obtaining a Stay

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

/s/ Claire Crow acting for

9/22/15

Karen Simms, Acting Field Manager

Date

Attachment: DOI-BLM-AZ-G020-2015-0026-CX Stipulations